

Message Text

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ACTION EUR-12

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AMEMBASSY MADRID

AMEMBASSY MOSCOW

AMCONSUL OPORTO

AMEMBASSY PARIS

AMCONSUL PONTA DELGADA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

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SUBJ: ASSEMBLY RESUMES DEBATE; PACT TALKS CONTINUE

REF: (A) 75 LISBON 7513 (DTG 181242Z DEC 76), (B) LISBON 634
(DTG 291525Z JAN 76)

SUMMARY: CONSTITUENT ASSEMBLY RESUMED DEBATE FEB 3 ON POLITICAL
STRUCTURE WHILE NEGOTIATIONS ON REVISION OF CONSTITUTIONAL PACT
PROCEEDED. END SUMMARY.

1. CONSTITUENT ASSEMBLY (CA) RESUMED DISCUSSION FEB 3 ON CON-
STITUTIONAL PROVISIONS FOR POLITICAL STRUCTURE OF FUTURE
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PORTUGUESE STATE. ASSEMBLY HAD VOTED DEC 10 TO SUSPEND

DEBATE ON SUBJECT PENDING CONCLUSION OF NEGOTIATIONS BETWEEN ARMED FORCES MOVEMENT AND POLITICAL PARTIES ON FUTURE CONSTITUTIONAL PACT (REF A). DELEGATES PROCEED AT THAT TIME TO DISCUSSION OF MEASURES ON COURT SYSTEM AND LOCAL GOVERNMENT, WHICH WERE COMPLETED ON DEC 16. WITH ONLY POLITICAL STRUCTURE SECTION AND PROVISIONS ON AZORES AND MADEIRA AUTONOMY STILL AWAITING APPROVAL, CA THEN VOTED TO SUSPEND COMPLETELY ITS ACTIVITIES UNTIL TERMINATION OF PACT NEGOTIATIONS. AS PACT NEGOTIATIONS WENT ON, HOWEVER, POSSIBILITY AROSE THAT CONSTITUTION MIGHT NOT BE COMPLETED IN TIME TO PERMIT HOLDING OF LEGISLATIVE ASSEMBLY ELECTIONS ON APRIL 25 TARGET DATE IF ASSEMBLY CONTINUED TO WAIT. CA THEREFORE RECONVENED FEB 2 AT BEHEST OF SOCIALISTS, POPULAR DEMOCRATS, AND CDS, AND VOTED TO RESUME DEBATE ON THOSE ASPECTS OF POLITICAL STRUCTURE -- SUCH AS SUBORDINATION OF ORDINARY LEGISLATION TO CONSTITUTION -- WHICH WOULD NOT BE AFFECTED BY PACT DISCUSSIONS. COMMUNISTS AND FELLOW-TRAVELING MDP UNSUCCESSFULLY OPPOSED RESUMPTION OF ACTIVITIES, ARGUING THAT ASSEMBLY SHOULD INSTEAD URGE PACT NEGOTIATIONS TO INCREASE PACE.

2. PACT TALKS CONTINUE: DISCUSSIONS ON REVISION OF THE PACT, MEANWHILE, CONTINUED AT UNHURRIED, BUT STEADY, PACE. FOLLOWING EARLIER MEETINGS WITH PS, PPD, AND COMMUNISTS, REVOLUTIONARY COUNCIL (RC) NEGOTIATING TEAM MET WITH CDS FEB 2 AND MDP FEB 3. CDS LEADER DIOGO FREITAS DE AMARAL ANNOUNCED AFTERWARD THAT PROGRESS HAD BEEN MADE, BUT THAT MINOR DIFFERENCES REMAINED TO BE RESOLVED. MDP DELEGATION TOLD REPORTERS THEY HAD EMPHASIZED NEED FOR CONTINUED STRONG MILITARY ROLE IN POLITICS.

3. END IN SIGHT?: REVOLUTIONARY COUNCIL REPRESENTATIVE MELO ANTUNES ANNOUNCED FOLLOWING FEB 3 MEETING THAT FIRST PHASE OF NEGOTIATIONS HAD ENDED AND THAT RC WOULD NEXT PREPARE NEW DRAFT PROPOSAL EMBODYING AGREEMENTS REACHED IN DISCUSSIONS WITH PARTIES. THIS, HE SAID, WOULD BE FOLLOWED BY NEW ROUND OF DISCUSSIONS WITH PARTIES PRIOR TO SIGNING OF FINAL ACCORD, PROBABLY NEXT WEEK. ANTUNES VOLUNTEERED THAT AGREEMENTS TO DATE HAD "PRESERVED A ROLE FOR RC IN THIS TRANSITORY PERIOD."

4. ACCORDING TO PPD SOURCE, RC HAS CEDED TO PARTIES ON ALL LIMITED OFFICIAL USE

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IMPORTANT POINTS OF PACT. RC REPRESENTATIVES AGREED TO DROP PROPOSALS FOR RC VETO OVER SELECTION OF PRIME MINISTER AND RC LEGISLATIVE AUTHORITY. THEY ALSO AGREED TO CONSIDERABLE DILUTION OF PROPOSAL TO GIVE RC POWER OF CONSTITUTIONAL REVIEW. INSTEAD, JOINT MILITARY-CIVILIAN TRIBUNAL WOULD HAVE AUTHORITY TO RULE ON CONSTITUTIONALITY OF LIMITED TYPES OF LEGISLATION. PPD GAVE GROUND IN NEGOTIATIONS BY AGREEING TO A LIMITED MILITARY ROLE IN CONSTITUTIONAL REVIEW. OUR PPD

SOURCE ANTICIPATED THAT NEW TEXT WOULD SATISFY DEMANDS OF THE PARTIES AND LEAVE ONLY A FEW MINOR POINTS TO BE IRONED OUT. PROVISIONS AGREED TO BY RC IN ITS SESSION WITH PPD ARE ESSENTIALLY SAME AS THOSE CONCLUDED WITH SOCIALISTS (REF B).

5. COMMENT: RESUMPTION OF ASSEMBLY DEBATE SHOWS INTEREST AMONG DEPUTIES IN WRAPPING UP WORK. ASSEMBLY, WHICH HAD BEEN SCHEDULED TO COMPLETE CONSTITUTION WITHIN 90 DAYS, HAS NOW BEEN IN SESSION OVER EIGHT MONTHS; MANY DEPUTIES ARE ANXIOUS TO RETURN TO THEIR PROFESSIONS AND FAMILIES. MORE IMPORTANT, DECISION SHOWS DETERMINATION OF DEMOCRATIC PARTIES NOT TO ALLOW POSTPONEMENT OF ELECTIONS. THIS DETERMINATION, COUPLED WITH ESSENTIAL SIMILARITY OF THEIR PACT NEGOTIATING POSITIONS, SHOULD ENSURE SPEEDY AND HARMONIOUS CONCLUSION OF CA DEBATE ON POLITICAL STRUCTURE, ESPECIALLY IF PACT NEGOTIATIONS CAN BE BROUGHT TO CONCLUSION EXPEDITIOUSLY -- AS NOW SEEMS LIKELY. CARLUCCI

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